

## ABSTRACT

I&CAD Department – Work Charged Establishment - Sri Sk. Moulali, NMR, Irrigation Sub-division, Kandukur - Regularization of his services in terms of G.O.Ms.No.212, Finance (PC.III) Department, dated 22.04.1994 – Orders Issued.

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### IRRIGATION & COMMAND AREA DEVELOPMENT (Ser.V) DEPARTMENT

G.O.Ms.No. 288 ,

Dated: 05.11.2009

Read the following:-

- Ref:-
1. From the Engineer-in-Chief, (IW), I&CAD, Hyderabad Letter No.ENC/IW/P&M/EE.III/W2/13408/2008, Dated 23-1-09.
  2. Govt. Memo No.26910/Ser.V.3/2007-2, dated 24.03.09
  3. From the Engineer-in-Chief, (IW), I&CAD, Hyderabad Letter No.ENC/IW/P&M/EE.III/W2/13408/08, dated 20-06-09

-X-X-X-X-X-

### ORDER:

The Engineer-in-Chief (IW), I&CAD, Hyderabad in his letter 1<sup>st</sup> read above, has reported that Sri Sk. Moulali worked as NMR in Irrigation Sub-division, Kandukur of Irrigation Division, Ongole for the period from 1-3-1983 to 31-3-1987 and was terminated w.e.f. 1-4-87 stating that his services were no longer required. The individual filed W.P. No.5635/98 before Hon'ble High Court of A.P. for reappointment in the department and the same was dismissed by the Hon'ble High Court of A.P. on 15-4-1998 at the admission stage. The individual has again approached the Labour Court, Guntur vide I.D. No.325/98 for reappointment. The Labour Court, Guntur has passed award on 1-6-1990 to reinstate the individual as NMR Mazdoor with continuity of service without back wages. A Writ Petition No.14517/90 was filed by the Department in the Hon'ble High Court of A.P. challenging the award passed by the Labour Court, Guntur in I.D. No.325/98 and the same was dismissed by the Hon'ble High Court of A.P. on 18.11.2003. The Executive Engineer, Irrigation Division, Ongole has again filed W.A. No.637/2007 in the Hon'ble High Court of A.P. and the same was also dismissed on 26.04.2004. Subsequently, the Executive Engineer, Irrigation Division, Ongole has reinstated Sri Sk. Moulali, as NMR based on the legal opinion obtained from the Government Pleader and the above NMR reported to duty on 14-12-2004 in Irrigation Sub-division No.1, Kanigiri of Irrigation Division, Ongole and continuing till to date.

2. The Engineer-in-Chief (IW), I&CAD, Hyderabad in his letter 3<sup>rd</sup> read above while submitting the supported documents has requested the Government to obtain and communicate orders for regularization of the services and conversion into last grade service in respect of Sri Sk. Moulali, NMR in the vacancy of Office Subordinate (R.P. No.35-BC.B) with continuity of service without back wages in terms of G.O.Ms.No.212, F&P Department, Dt. 22-4-1994 duly taking into consideration of Hon'ble Labour Court Award passed in I.D.No.325/98.

3. In the above circumstances and Government after careful examination of the matter hereby direct the Engineer-in-Chief (IW), I&CAD, Hyderabad to regularize the services of Sri Sk. Moulali, NMR in the existing Office Subordinate post against roster point No.35-BC.B in Irrigation Circle, Guntur in terms of G.O.Ms.No.212, F&P Department, dated 22.04.94 from the prospective date i.e. from the date of issue of orders by the competent authority subject to the condition that the proposed post is continuing as on date as per the orders issued by the Fin. (SMPC) Dept and no senior to him is overlooked / omitted.

(P.T.O.)

4. The Engineer-in-Chief (IW), I&CAD, Hyderabad shall take further necessary action in the matter accordingly.

5. This order issues with the concurrence of the Finance (PC.III) Department vide their U.O. No.22981/435/A1/PC.III/09, dated 25.09.09.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Engineer-in-Chief (IW), I&CAD, Hyderabad

// :: FORWARDED :: BY ORDER :: //

SECTION OFFICER